



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,042	08/26/2003	Masayuki Chatani	SONYP026	4966
25920 7590 07/18/2008 MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085				
EXAMINER RUDOLPH, ISHMAEL A				
ART UNIT		PAPER NUMBER		
3621				
MAIL DATE		DELIVERY MODE		
07/18/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/649,042

Applicant(s)

CHATANI, MASAYUKI

Examiner

ISHMAEL RUDOLPH

Art Unit

3621

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6, 9-11, 13, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Stefik, et al. (US 7,225,160).

3. As to Claim 1, Stefik enables the following concepts as presented:

"A method for controlling access to computer readable

media, comprising the operations of:

receiving a digital authentication ticket [*digital certificate*, c. 13 l. 26-29] that is obtained by a client device [*requester repository*, c. 28 l. 47-48] and saved in memory of the client device before being transmitted to a computer system

having particular computer readable content [*rendering repository*, c. 7 l. 4-11, 37-52], wherein the digital authentication ticket includes a digital code (c. 21 l. 6-31);

determining whether the digital authentication ticket corresponds to the particular computer readable content at the computer system (c. 11 l. 57-67, c. 22 l. 35-54);

allowing access to the particular computer readable content at the computer

system when the digital authentication ticket corresponds to the particular computer readable content (Fig. 18; c. 30 I. 40-61) and preventing access to the particular computer readable content at the computer system when the digital authentication ticket does not correspond to the particular computer readable content (Fig. 18; c. 29 I. 26 – c. 30 I. 34)."

4. As to Claim 2:

"A method as recited in claim 1, further comprising the operation of transmitting the digital authentication ticket to the client device in response to receiving a request for the digital authentication ticket (Fig. 18; c. 6 I. 40-48)."

5. As to Claim 3:

"A method as recited in claim 2, further comprising the operation of processing the request for the digital authentication ticket, wherein the processing includes charging a fee to a user (Fig. 3; c. 6 I. 60 – c. 7 I. 3, c. 15 I. 43-55)."

6. As to Claim 4:

"A method as recited in claim 2, wherein the request is received using a payment server located remotely from the client device (Fig. 3; c. 13 I. 2-9)."

7. As to Claim 6:

"A method as recited in claim 1, wherein the computer system is located locally to the client device (Fig. 12; c. 12 I. 39-53)."

8. As to Claim 9:

"A system for controlling access to computer readable media, comprising:
a payment server capable of receiving a request for a digital authentication ticket
corresponding to particular computer readable content (Fig. 3; c. 6 I. 60 – c. 7 I.
3),
a client device communicating with the payment server, the client device
configured to receive transmission of the digital authentication ticket, the client
device having memory for storing the digital authentication ticket (Figs. 3, 12; c.
28 I. 47-48, c. 12 I. 48-64); and
a computer system having the particular computer readable content, the
computer system receiving the digital authentication ticket after being transmitted
from the memory of the client device to the computer system having the
particular computer readable content (Fig. 12; c. 12 I. 34-64),
wherein the computer system includes program instructions that prevent access
to the particular computer readable content when the digital authentication ticket
does not correspond to the particular computer readable content (Fig. 18; c. 29 I.
26-44)."

9. As to Claim 10:

"A system as recited in claim 9, wherein the payment server processes the
request for the digital authentication ticket, the processing including charging a
fee to a user (Fig. 3; c. 6 I. 60 – c. 7 I. 3, c. 15 I. 43-55)."

10. As to Claim 11:

"A system as recited in claim 9, wherein the payment server is located remotely from the client device (Fig. 3; c. 13 l. 2-9)."

11. As to Claim 13:

"A system as recited in claim 9, wherein the computer system is located locally to the client device (Fig. 12; c. 12 l. 39-53)."

12. As to Claim 16:

"A system as recited in claim 9, wherein the computer readable content is stored on a computer readable medium (c. 12 l. 54-64)."

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 5, 7-8, 12, 14-15, 17, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefik, et al. (US 7,269,577) in view of Rowe, et al. (US 2002/0098888).

15. As to Claim 5, Stefik discloses the invention substantially as claimed. See the discussion of Claim 4 above. Stefik does not disclose "the operation of transmitting the digital authentication ticket from a game server to the payment server, the game server storing a plurality of digital authentication tickets". Rowe discloses a process of transmitting a game service transaction confirmation to a transaction server (§ 0018-

0019). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Stefik to include the process disclosed by Rowe because this would allow the user to process a plurality of digital authentication tickets.

16. As to Claim 7, Stefik discloses the invention substantially as claimed. See the discussion of Claim 1 above. Stefik does not disclose wireless transmittal of the digital authentication ticket from the client device to the computer system. Rowe discloses the wireless transmittal of a digital authentication ticket from the client device to the computer system (¶ 0019). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Stefik to include the process disclosed by Rowe because this would allow the user to transmit a digital authentication ticket wirelessly from the client device to the computer system.

17. As to Claim 8, Stefik discloses the invention substantially as claimed. See the discussion of Claim 1 above. Stefik does not disclose wireless transmittal of the digital authentication ticket from the payment server to the client device. Rowe discloses the wireless transmittal of a digital authentication ticket from the payment server to the client device (¶ 0019). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Stefik to include the process disclosed by Rowe because this would allow the user to transmit a digital authentication ticket wirelessly from the payment server to the client device.

18. As to Claim 12, see the discussion of Claim 5.

19. As to Claim 14, see the discussion of Claim 7.

20. As to Claim 15, see the discussion of Claim 8.

Art Unit: 3621

21. As to Claim 17, Stefik discloses the invention substantially as claimed. See the discussion of Claim 9 above. Stefik does not disclose transmittal of computer readable content from the game server to the computer system. Rowe discloses the wireless transmittal of computer readable content from a game server to a computer system (§ 0020). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Stefik to include the process disclosed by Rowe because this would allow the user to transmit computer readable content from the game server to the computer system.

22. As to Claim 24, Stefik presents the following concepts as claimed:

- a. "determining whether the digital authentication ticket corresponds to the particular media content at the game console (c. 11 l. 57-67, c. 22 l. 35-54)"
- b. "allowing access to the particular media content at the game console when the digital authentication ticket corresponds to the particular media content, and unlocking the particular media content with the digital code (Fig. 18; c. 30 l. 40-61)"
- c. "invalidating the digital code after allowing access to the particular media to prevent unlocking additional media content without purchase (Fig. 18; c. 29 l. 26 – c. 30 l. 34)."

Stefik does not disclose the following concepts, which are presented in Rowe as claimed:

- d. "communicating with a server [*clerk validation terminal*, § 0006] through a wireless device [*hand-held device*; Fig. 3, § 0012], the communicating enabling

the wireless device to request and purchase a digital authentication ticket from the server (§ 0012, 0018);”

e. “receiving the digital authentication ticket at the wireless device and saved to memory of the wireless client device (Fig. 3; § 0018);”

f. “transmitting the digital authentication ticket from the memory of the wireless device to a game console having particular media content, wherein the digital authentication ticket includes a digital code (§ 0018, 0020, 0039-0040)...”

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Stefik to include the concepts taught by Rowe because it provides the user with the ability to remotely

Response to Amendment

23. In response to the Remarks made by Applicant regarding the initial Office Action, two main areas of traversal are addressed presently. First, the change in claim language and subsequent explanation provided prevents the use of the Chatani reference in this continued examination. However, the teachings of Stefik, with the flexibility provided by the “repository” concept, are sufficient enough to enable the presently claimed functionality. Therefore, the 102 rejection remains, yet under different examination criteria. Secondly, the concepts of the dependent claims affected by Rowe can still be implemented within the overarching construct provided by Stefik. Therefore, the 103 rejection remains and is still valid. Thirdly, the addition of Claim 24 combines

the main aspects of the Stefik and Rowe teachings, outlining a digital ticket transaction in a wireless communication setting. Therefore, it is rejected under the 103 statute.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISHMAEL RUDOLPH whose telephone number is (571) 270-3610. The examiner can normally be reached on 9:00 a.m. - 5:30 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ISHMAEL RUDOLPH/
Examiner, Art Unit 3621

/ANDREW J. FISCHER/
Supervisory Patent Examiner, Art Unit 3621

